

מדינת ישראל

L 102 45

4/404 309/N

Formerly SF/116/47

GOVERNMENT OF PALESTINE

C.S.O.

SUBJECT:

*Application by the Jewish Agency
for State Domain at Qalansa, Tulkarm
S/O. for Re-settlement of Ex-Soldiers*

GPP. 8507-8000-2-7-80-08578

CONNECTED FILES

NUMBER AND YEAR

SUBJECT

מדינת ישראל
גנוז המדינה



ICATION BY THE JEWISH AGENCY FOR : שם תיק
AT QALANSAWA, TULKARM SUB-DIS

309 / 46-מ

מזהה פיזי

ארץ

מזהה פריט 000neym

ממשל

12/02/2018

תאריך הדפסה

כתובת 2-112-4-8-10

מס' תיק

L	102	45
---	-----	----

4/404 309/N

Formerly SF/146/47

GOVERNMENT OF PALESTINE

C.S.O.

SUBJECT:

*Application by the Jewish Agency
for State Domain at Qagun, Tulkarim
S/O. for Re-settlement of Ex-Soldiers*

GPD. 8007-8000-1-7-10-285/1

CONNECTED FILES

NUMBER AND YEAR

SUBJECT

מדינת ישראל
גנזך המדינה

309

46

מ

ארץ ישראל
ממשלת המנדט

Extract from Report of State Domain Inspector
Cttee on SF/185/2/43

(1)

8. QAQUN:

Block 7998, Parcel 10, Area 393.731 dunums.

This parcel adjoins another parcel of State Domain which is let on long term lease to the Keren Kayemeth Leisrael and sub-let to the settlement of Ain Mahoresh. The land is marshy, and without drainage is only suitable for summer crops, but could easily be drained and would then be good agricultural land. At present it is potentially valuable land being wasted. It was let for three years expiring 30th June, 1945, to Nadhat Abu Hantash who has since died. Only about 20 dunums have been cultivated recently; the remainder has been used for rough grazing.

The cultivator was originally an encroacher but is understood to have paid rent to Nadhat Abu Hantash.

The Jewish Agency states:-

"We beg to request that Government allocate this land for the purpose of the settlement of ex-servicemen. We could establish an independent settlement of 20 families on it. There is an alternative use which could be made of it. The area borders on the land of Ein Mahoresh Settlement. The area could be transferred to Ein Mahoresh, on condition that they make available in exchange part of the land allotted to them by the Jewish National Fund in Wadi Kupani. The land of Ein Mahoresh in Wadi Kupani is contiguous to land allocated there by the Jewish National Fund for the establishment of a soldiers' settlement. In this manner we could increase the population of the latter settlement by 20 families."

The Committee recommends that the part of the parcel cultivated by Arabs should be excised and the remainder should be made available for ex-soldiers. It is considered that the grant should be made conditional on the whole of the parcel being drained. It was realised that this suggestion might involve reservations of the drainage channels (in the Arab portion) in the hands of the Jewish National Fund as otherwise they would probably be neglected.

✓ Extract for comments on state domain inspection
Ctee's report of 8-10-45 on SF/85/2/43

2

6/102/45

(8) Qaqun.

I know this area well and the circumstances of its lease to Arabs. Except for one sub-tenant the Arabs have made no use of this potentially productive land. I recommend that the proposals of the Committee be accepted. The lease agreement would no doubt be made with the K.K.L. under terms as indicated in paragraph 6 of (78) but there are points which can be left for the Director of Land Settlement's recommendations.



L/102/45

29 October, 1945.

Director of Land Settlement.

⑦ I am directed to refer to your letter No.SD/2(5) of 5th October, 1945 regarding State Domain for the re-settlement of ex-soldiers and to inform you that the recommendation made by the State Domain Inspection Committee in regard to parcel No.10 of Block 7998 in Qaqun village, Tulkarm sub-district is approved. The Committee's recommendation was that "the part of the parcel cultivated by Arabs should be excised and the remainder should be made available for ex-soldiers", on condition that the whole of the parcel is drained.

2. It is assumed that you propose to offer a long lease to the Jewish National Fund of that part of the parcel which is not cultivated by Arabs and, if this assumption is correct, I am to request you to submit your recommendations as to the terms and conditions of such lease.

3. I am also to request that you will make recommendations in regard to that part of the land which is cultivated by Arabs.

Sgt. D. C. MacGillivray
CHIEF SECRETARY.

Copy to: District Commissioner,
Samaria District.

Mr. MacGillivray

25.10.45.

P.S.
25.10.45.

CHIEF SECRETARY'S OFFICE
(Chief Clerk)

4

TELEGRAM. 10 NOV 1945
L/102/45

From Ahmad Abdullatif Abu Hantash, To His Excellency,
Hafez Mousa Abu Hantash, The Officer Administering
Abdallah Husni Kan'an, the Government.
Abdallah Al-Jabr Jarousheh,
Mukhtar and 18 others of
Qaqun village.

Despatched Tulkarem, 8.11.45 (9.12). Received (10.25).

The bassa land of our village, Qaqun, which is registered in the name of His Excellency the High Commissioner, is an Arab land and exploited by Arabs. A large number of Arab families and their animals depend for their livelihood on this land. Endeavours are being made secretly for allotting part of this land to the Jews. Such unwarranted measure would deprive the Arab families of their right to live on the land of their fathers and ancestors. We, therefore, protest against such proposal and request Your Excellency's immediate intervention before any piece of this land is allotted to any one. We trust that Your Excellency will see to it that this right which we have held for thousands of years be safeguarded. We wish to inform Your Excellency that we are prepared to buy this land against payment of "badal al-misl" or to acquire it a long term lease, as Government has done with the Jews in leasing to them adjacent state domain.



Prefix No. _____ No. of Telegram _____
 Orig. No. _____
 Words _____
 Recd. from _____
 By _____



To القديس

ارض ربه قرتنا قاقون الحبل على خنانه المندوب السامي	
ارضها بحرب	وليتبرها الغربا وتغش منها عائلات
عرب كنهه ثم حوكني القرب	بحرنا في الخلاء كاوركات كنهه
لأعطاء قسم منها	اليهود ان هذا اليه يصدق الاله
عائلات بحرب	من حق العيش بأرض آبائهم واحداهم فنبههم علم
وطلب من خنانتهم	التي فعل الرب قبل اقلتها اي شيا منها في الخلق
على حق انتباه	منه الان الاله ونبه ان نعلم ان لغوا متكم
بأننا على استعداد	لشرائها بل المثل أو لستنا جاريه
بحكمه صو اليهود	بما جبر ارضنا لكم الملامه

DEPARTMENT OF POSTS AND TELEGRAPHS.

TELEGRAM ٢٧٢٦

This form must accompany any enquiry respecting this telegram.

يجب إرسال هذا النموذج مع كل استعلام بخصوص هذه البرقية

יש לצרף את הסופסוף החדש לכל הקצוה הנשללת בעידן והפסק חזון.

No Charge for Delivery.

لا يدفع رسوم لتوزيعها

ה'תרס"ח

TELEGRAM

C

P.T. 6.

Service	تعليمات ادارة	Prefix No.	No. of Telegram
Instructions	הוראות בשורות	Orig. No.	
Handed in at	سلمت في نسمة ب	Words	
On	التاريخ بיום	Recd. from	
Time	الوقت المسمى	By	
Received at	وصلت في نسمة ب		

To

الى
٩٩

II

احمد عبد الرحمن ابو حنيفة حاتم موسى ابو حنيفة
 عبد الله حنيفة كنفان عبد الكريم السوملي احمد مصطفى ابو حنيفة
 الخواتم نعم الله عليه الخير الماروقه سيد الشريعي
 ملايكة موسى اريو دارعلا حرمه خاتون ابراهيم السيد محمد
 احمد محمد انشلي محمد حنيفة النور بكامل احمد حرمه كل محمد الماني
 عثمان احمد حرمه عبد الفتاح موسى حرمه عبد القادر الشيخ احمد احمد حنيفة الله
 موسى فاني ذيب السلطان ابو حنيفة حرمه محمد امانى فاطم البهي يركن
 ابو حنيفة محمد احمد حنيفة ابو حنيفة

DEPARTMENT OF POSTS AND TELEGRAPHS.

כרטיס TELEGRAM ברוי

This form must accompany any enquiry respecting this telegram.

יש לציין את המספר הזה לכל מקורה הנערכת בעדן הכרטיס הזה.
יבטיח לו שאל. בדואר או בדרך כלל אסמלם בכתב וס' עזרה הברית

No Charge for Delivery.

לא יבדע דמי התשלום

המספר הזה יבטיח לו

כרטיס TELEGRAM ברוי

L/102/45

2/ November 1945

Sir,

I am directed to acknowledge the receipt of a telegram dated the 8th November 1945 signed by yourself and others on the subject of State Domain land in Qaqun village, Tulkarm Sub-District, and to inform you that the matter is receiving attention.

I am,
Sir,
Your obedient servant,

J. J. D. MacGillivray
ACTING CHIEF SECRETARY.

Ahmad Abdullatif Eff. Abu Hanfash,
Tulkarm.

D.O.S.D.
D.L.S.

Copy to :
() with copy of
() telegram for
observations,
w.r.t. my letter
no.L/102/45 of
29th Oct. 1945

Mr. Zakarian
13/11 TH

✓
CHIEF SECRETARY'S OFFICE
GOVERNMENT OF PALESTINE

7

IN REPLY PLEASE QUOTE

No. GP/5/29(4)

23 NOV 1945
DEPT. OF LAND SETTLEMENT.

JERUSALEM.

P. O. B. 189 - TEL. 4497

JERU 22nd November, 1945.

Chief Secretary.

Subject:- State Domain in Qaqun,
Tulkarm Sub-District.

⑥ Reference: Your L/102/45 of 21st
Nov. 1945 addressed to
Ahmad Abdullatif Eff.
Abu Hanlash, copy to me.

(7a)

I attach a copy of the
letter I addressed to District
Commissioner, Samaria, (No. GP/5/
39(4) of 7th November 1945). No
doubt the District Commissioner
will be communicating to you.

[Signature]
Acting DIRECTOR.

Copy to District Commissioner,
Samaria District.

P.

GP/5/29(4)

7th November, 1945. 72

Actg. District Commissioner,
Samaris District.

3 The recommendation of the State Domain Inspection Committee was approved by Government under Chief Secretary's letter L/102/45 dated 29th October, 1945. The recommendation was to the effect that the part of the parcel cultivated by Arabs should be excised and the remainder should be made available for ex-soldiers on condition that the whole of the parcel is drained. Subsequent survey showed that only a plot measuring 20.2 dunums was cultivated by Arabs. The Committee, consisting of Mr. Livingstone, Mr. Eyre, Mr. Goor and Mr. Berncastle found that the rest of the land was a marsh covered with rushes and wild grasses. This was at a time of year when arable land should normally be under winter crops. I cannot imagine what can have happened to the large sums which the late Madhat Abu Hantash is stated to have spent on improving the land.

As you are aware, from the above quoted letter from the Chief Secretary, I am now directed to submit recommendations as to the terms and conditions of a lease to the Jewish National Fund. I also propose to inform the Jewish Agency that Government has agreed that this land should be made available for ex-soldiers, on condition that a drainage scheme is prepared in consultation with the Chief Irrigation Officer, and if found suitable by Government, is executed by the Lessees.

In view of the petition forwarded with your letter I shall postpone taking action until I hear from you that you have no contrary views.

Sgd. J.M. Berncastle.

for ACTING DIRECTOR.

P.

~~SECRET~~

86/M

L/102/45

CHIEF SECRETARY (Chief Secretary)
30 NOV 1945
JERUSALEM

8

SECRET

26th November, 1945.

Director of Land Settlement,
Jerusalem.

4 (7) With reference to your letter No. GP/5/29(4) dated the 22nd November, 1945 addressed to the Chief Secretary with copy to me, regarding the recommendation of the State Domain Inspection Committee regarding State Domain at Qaqun Village, I agree in principle with the views expressed in your letter.

2. Before, however, negotiations are entered into with the Jewish Agency I feel that we should know the exact boundaries of the land we are going to offer to lease to them.

3. I should be grateful to know whether you have exact boundaries in mind and if not how you propose that the boundary line should be chosen.

Ld. W.V. Fuller.
Ag/DISTRICT COMMISSIONER,
SAMARIA DISTRICT.

Copy to : Chief Secretary. ✓

100-100000

100-100000

20th November, 1947

Director of Public Administration,
Government.

With reference to your letter of 15/11/47 (100-100000) dated the 20th November, 1947 addressed to the Chief Secretary with copy to me, regarding the recommendation of the State Housing Inspection Committee regarding State Housing at Jammu. I agree in principle with the views expressed in your letter.

Before, however, negotiations are entered into with the Jewish Agency, I feel that we should know the exact boundaries of the land we are going to offer to them.

I should be grateful to know whether you have exact boundaries in mind and if not how you propose that the boundary line should be drawn.

Yours faithfully,
J. V. L. L. L.

Copy to Chief Secretary.

IN REPLY PLEASE QUOTE

No. GP/5/29(4).

4/102/45
GOVERNMENT OF PALESTINE.

CHIEF SECRETARY
(Chief Clerk)

DEPT. OF LAND SETTLEMENT.
JERUSALEM.

P. O. B. 189 — TEL. 4497.

JERUSALEM 4th December, 1945.

Actg. District Commissioner,
Samaria District.

Subject : State Domain in Qaqun, Tulkarm
Sub-District.

Reference : Your 86/M dated 26th November,
1945.

(9a) I attach a plan (marked A) showing the State Domain and the part thereof, measuring 20.200 dunums which was found to be cultivated when a survey was made by the Forest Surveyor in March, 1945.

(9b) 2. I also attach a plan (marked B) made in the summer of 1942 showing the patch cultivation which existed at that time together with a list of the cultivators. The crops were, of course, summer crops. It will be observed that even in summer only 139 dunums out of a total of 393.731 dunums was cultivated.

3. At the time of the Committee's inspection all trace of this former cultivation had disappeared.

4. If it is desired to placate the Arabs it is suggested that an area of something less than 100 dunums at the eastern end of the parcel should amply suffice for the purpose. If the land were drained they would, with industry, be able to get considerably more off such an area than they have from the whole parcel hitherto.

(Sgd) J. M. Berncastle

Actg. DIRECTOR.

Copy to: Chief Secretary.

GOVERNMENT OF PALESTINE

DEPT. OF LAND & SURVEY
JERUSALEM
P. O. BOX 100
TEL. 4000



1000

1000

1000

1000

1000

1000

1000

1000

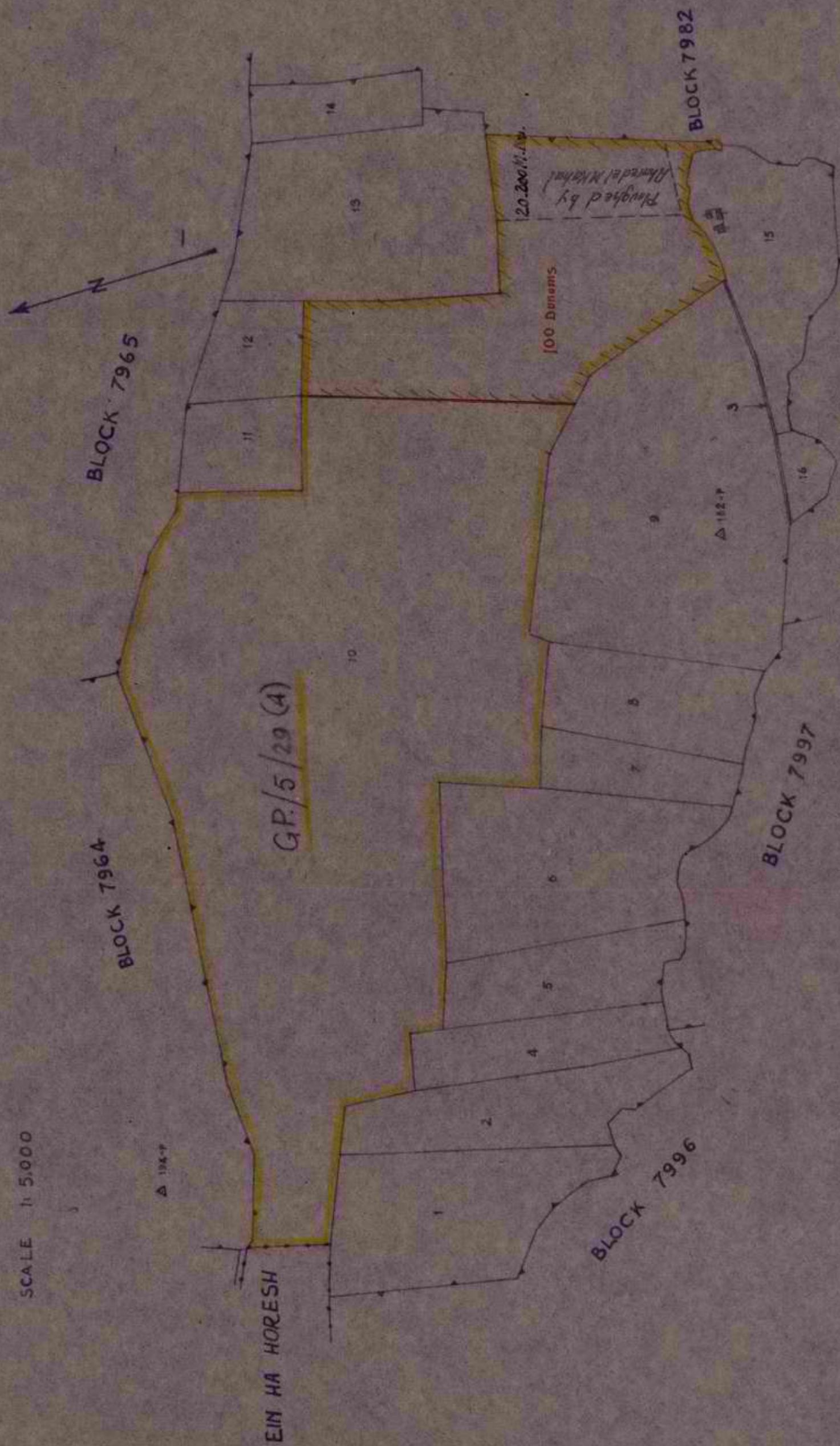
1000

QĀQŪN

REGISTRATION BLOCK 7998

SCALE 1:5000

A



L/102/45

L/102/45

ga

L/102/45

ga

"B"

Village: QARUN

Block: 7998

Parcel: 10

Scale: 1/2500



4/102/45. 94



4/102/45

995

Plot No.	Name of Occupant	Approx. Area Duns.M2
A	Rashid Abd er Rahim Ajmad Abdo	0.750
B	Mohammed Abd el Ghani Hassan Abdallah	0.500
C	Nabiha Mas'ud Ibrahim el Adham	4.500
D	Fayez Nasrallah	7.000
E	Ahmed Mohammed el Mihdawi	15.500
F	Said Hassan esh Shuli	7.500
G	Fayez Nasrallah	11.500
H	Abd el Qadir Mustafa Saleh	0.750
I	Abdallah el Qaffar	5.500
J	Madhat Abu Hantash	4.500
K	Salen Mahmud en Naify	1.000
L	Sa'id Mustafa Hamideh	1.500
M	Saleh Mahmud en Naify	3.500
N	Salem el Belbisy	1.500
O	Abd el Latif Mustafa Saleh	1.500
P	Abd el Qadir el Mukahhal	2.500
Q	Ibrahim Abu Shanab	1.500
R	Mohammad el Farouni	1.500
S	Nimer Mustafa Mohammed Abu Hantash	16.500
T	Mohammed el Yusef	1.500
U	Dieb Suleiman Abu Hantash	3.000
V	Ahmed Abu Yahya	7.500
W	Madhat Abu Hantash	3.500
X	Mohammad Ahmed Darwish	6.000
Y	'Iqab Abu Hantash	28.500
		139.000

WT.

57/e01/7

L/102/45

31 December, 1945

A/District Commissioner,
Sameria District.
A/Director of Land Settlement.

(9) — I am directed to refer to correspondence ending with the Acting Director of Land Settlement's letter no.GP/5/29(4) of the 4th December, 1945, on the subject of State Domain in Qagun, Tulkarm Sub-District, and to request you to furnish me with your final recommendations in the matter.

(Sgd) I. FRUMKIN

CHIEF SECRETARY.

Mr. Christides

CS

30/12

30/12

GOVERNMENT OF PALESTINE.

IN REPLY PLEASE QUOTE

No GP/5/29(4).

DEPT. OF LAND SETTLEMENT.
JERUSALEM.

P. O. B. 189 — TEL. 4497.

23rd January, 1946.

A/District Commissioner,
Samaria District.

Subject : State Domain, Qaun,
Tulkarm Sub-District.

(8) Reference : Your 86/M of 26.11.1945 &
Chief Secretary's letter No.
(10) — L/102/45 of 31.12.1945.

(9) I shall be grateful if you will reply
to my letter of 4th December, 1945, or make
your recommendations direct to the Chief
Secretary with a copy to me.

(Sgd) J. M. Berncastle

Actg. DIRECTOR.

Copy to: Chief Secretary. ✓

WT.

Copy - SF/185/2/43

13

CHIEF SECRETARY'S OFFICE (Chief Clerk)
6 FEB 1946
JERUSALEM

SECRET

86/M

SECRET

Nt SF

2nd February, 1946.

Director of Land Settlement,
JERUSALEM.

4/102/45
With reference to your letter No.GP/5/29(4) regarding State Domain in Qaqun, I have the honour to suggest that the area leased to the Arabs should be rather greater than that referred to in your fourth paragraph.

2. I would suggest that the dividing line should be made by extending the line forming the western boundary of parcel 11 southward until it reaches the northern boundary of parcel 9. This line is shown on plan A in green.

3. I base this view on the information I have received from the Agricultural Officer in Tulkarm who has stated:-

"To my personal knowledge some 200 dunums of Parcel 10 Block 7998 were tractor ploughed with the object of cultivation in 1944 by the late Maghat Abu Hantash just before his death, since when the greater part of these 200 dunums have been cultivated in patches with various winter and summer crops and vegetables, the main ones being, in order of area, melons, wheat, ocre and egg-plants.

The water holes from which these were irrigated still exist."

4. I regret the delay in replying to your letter but I had to institute inquiries into the question of previous ^{cultivation} ~~occupation~~ before I could make a recommendation.

(Sgd) W. V. FULLER

AG/DISTRICT COMMISSIONER,
SAMARIA DISTRICT

Copy to : Chief Secretary

Copy

SF/185/2/43.

20 March, 1946.

Director of Land Settlement.

I am directed to refer to my letter No. L/102/45 of 31.12.45 on the subject of State Domain at Qagun in the Tulkarm Sub-District, and to request that having regard to the recommendations of the District Commissioner, Samaria in his letter 86/M of 2.2.46 addressed to you with a copy to me you should furnish an early report as to how the matter in regard to the area in question now stands.

(Sgd) F.W.S. [Signature]
CHIEF SECRETARY.

Copy to: D.C. Samaria, ref. his
86/M Dated 2.2.46

L/102/45.

~~SECRET~~

GOVERNMENT OF PALESTINE.

IN REPLY PLEASE QUOTE

No. 86/M

DISTRICT COMMISSIONER'S OFFICES,
SAMARIA DISTRICT,
NABLUS.

1st March, 1946.

CHIEF SECRETARY.

With reference to your letter
No.L/102/45 dated the 21st February,
1946, regarding State Domain in
Qaqun, I have the honour to invite
your attention to my letter No.86/M
dated the 2nd February, 1946.

thus
Ag/DISTRICT COMMISSIONER,
SAMARIA DISTRICT.

B.A. 25
18.3.46
M. 12/12

QĀQŪN

REGISTRATION BLOCK 7998

SCALE 1:5,000

BLOCK 7964

BLOCK 7965

EIN HA HORESH

GP./5/29 (4)

BLOCK 7996

BLOCK 7997

BLOCK 7982



GP/5-11/8

GOVERNMENT OF PALESTINE.

IN REPLY PLEASE QUOTE

No GP/5/29(4)

CHIEF SECRETARY'S OFFICE

(Chief Clerk)

- 6 APR 1946

JERUSALEM

DEPT. OF LAND SETTLEMENT.

JERUSALEM.

P. O. B. 189 - TEL. 4497.

4th April, 1946.

Chief Secretary.

Subject:- Re-settlement of ex-soldiers - State Domain Block 7998, Parcel 10, Qasun village, Tulkarm Sub-District.

Reference: Your SF/185/2/43 of 20th March, 1946.

*Delivered 4
4/10/45*

I adhere to my recommendation contained in my letter of 4th December 1945 to the Acting District Commissioner with copy to you that not more than 100 dunums should be reserved for Arabs. I feel that if the area to be allocated for ex-soldiers is to be whittled down any more, it is not worth while going on with the proposal. When the committee, which included the Assistant District Commissioner - Mr. Livingstone, inspected the land in February 1945 only about 20 dunums were cultivated. The rest was under water and the committee could only make its inspection by jumping from one tuft of rushes to another. If the proposal of the committee, as modified by the suggestion in my letter of 4th December 1945, is approved, the Arabs will get 100 dunums of drained and irrigable land which should be capable of producing much more crops per annum than the whole 394 dunums has ever produced hitherto.

2. I recommend that as a condition precedent to the grant of a lease the Keren Kayemet LeIsrael should be required to drain the whole parcel of 394 dunum in accordance with a plan to be approved by the Water Commissioner. When the drainage is completed a 99-years lease should be granted of 294 dunums together with the drainage channel reservations in the 100 dunums to be reserved for Arabs. It is considered that unless these drainage channels are retained in the hands of the K.K.L. they may be neglected and the whole drainage scheme rendered futile. I suggest that the rent might be calculated at the rate of 3½% of the pre-war value of the land, to be assessed by the valuation section of this department. This would be in accordance with the basis for rent approved in the case of the Haifa Municipal Housing Schemes and would compensate the K.K.L. for the drainage work they would have to do in the part reserved for the Arabs.

----- 3. I attach a plan showing the 20-dunums found to be cultivated, the dividing line proposed by me (in red) and the dividing line proposed by the District Commissioner (in green).

L 102/45
By Hand
Acting DIRECTOR.

P.

Clerk to the Executive Council

G. WALSH ESQ., C.M.G. O.B.E.
xxHxHxPoxHxExDxBx

Yes $P = 26/5740$

J.H.H. POLLOCK ESQ., O.B.E.
Col. Sir George Wyndham, G.C.B., G.C.E., D.S.O.

yes 208

Yes M. 28/5-

Yes ~~29~~
29-8

yes. ~~29.5.46~~

345

HIGH COMMISSIONER

CIRCULATED FOR WRITTEN OPINIONS

QUESTION

Reference min. (20).

? Should the High Commissioner in Executive Council approve the proposals made by the U.S.(A) at (a), (b), and (c) of para. 7 of min. (20).



 Clerk to the Executive Council

✓

CHIEF SECRETARY'S OFFICE
GOVERNMENT OF PALESTINE

(23)

IN REPLY PLEASE QUOTE 5 MAY 1946 DEPT. OF LAND SETTLEMENT.

No. GP/5/29(4) L/102/45 JERUSALEM.

JERUSALEM P. O. B. 139 - TEL. 4497

23rd May, 1946.

Chief Secretary.

(18) — L/102/45
Reference my GP/5/29(4) of
4th April, 1946, and your SF/185/
2/43 of 20th March, 1946.

The Jewish Agency are
pressing me for a decision.


Acting DIRECTOR.

Copy to District Commissioner,
Samaritan District -
with copy of my letter
under reference.

P.

GOVERNMENT OF PALESTINE

1948

Chief Secretary

The Jewish Agency and
related to the situation.

acting Director

Copy to Director of Government
General District -
with copy of situation
under reference.

(25)

GOVERNMENT OF PALESTINE.

(Chief Office)

IN REPLY PLEASE QUOTE

No. 86/M



DISTRICT COMMISSIONER'S OFFICES,
SAMARIA DISTRICT,
NABLUS.

3rd June, 1946.

CHIEF SECRETARY

(23)

With reference to letter No.GP/5/29(4) dated the 23rd May, 1946, addressed to you by the Director of Land Settlement on the subject of the allocation of State Domain, Block 7998, Parcel 10, at Qaqun, I have the honour to inform you that my recommendation in my letter No.86/M dated the 2nd February, 1946, to the Director of Land Settlement, which was based on information given me by the Agricultural Officer in Tulkarm regarding previous cultivation, still stands.

(13)

thus

Ag/DISTRICT COMMISSIONER,
SAMARIA DISTRICT.

L/102/45

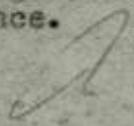
10 June, 1946.

Director of Land Settlement.

(18)

I am directed to refer to your letter No. GP/5/29 (4) dated the 4th April, 1946, on the subject of the resettlement of ex-soldiers on State Domain Block 7998, Parcel No. 10, Qaqun village, Tulkarem Sub-District, and to inform you that the High Commissioner in Executive Council has approved the recommendations of the State Domain Inspection Committee that an area of 100 dunums only of this parcel of State Domain should be reserved for cultivation by Arabs and the remainder should be made available for ex-soldiers.

2. The terms of lease should be in accordance with paragraph 2 of your letter under reference.



(M. NASIR.)
for CHIEF SECRETARY.

Copy to: District Commissioner
Samaris District for information.

(32)



Copy for
the
Library

Copy to:- File SF/259/45
✓ L/102/45
L/101/45.

28

Chairman, Resettlement Advisory Committee.
Director of Land Settlement.

SF/185/2/43.

11 July, 1946.

Gentlemen,

136 on SF/185/2/43.

I am directed to refer to paragraph 6(iii) of your letter POL/11/46 dated the 1st February, 1946, and to inform you that the Director of Land Settlement has been authorized to make the following areas of state domain available on lease to ex-servicemen for agricultural purposes, on terms and conditions which will be communicated to you by the Director of Land Settlement.

- (a) Blocks H.4934-4940, near Yibna - an area of approximately 3,261 dunums;
- (b) Block 7994, parcel No. 10, Qaqun village less 100 dunums; the area to be leased is approximately 294 dunums;
- (c) Block 7873, parcel 7 and Block 7877, parcel 10, Qalanauwa village, an area of 505 dunums approximately.

I am,
Gentlemen,
Your obedient servant,

(Sgd.) J. V. W. SHAW

(J.V.W. SHAW.)

CHIEF SECRETARY.

The Executive of the
Jewish Agency,
P.O.B. 92,
Jerusalem.

GOVERNMENT OF PALESTINE.

(29)

IN REPLY PLEASE QUOTE

No. 86/M

SECRET

DISTRICT COMMISSIONER'S OFFICE.

SAMARIA DISTRICT.

NABLUS.

CHIEF SECRETARY'S OFFICE
(Chief Clerk)

3 OCT. 1946

28th October, 1946.

JERUSALEM

CHIEF SECRETARY.

L/102/45

Subject: Post-War Settlement of Jewish Ex-Soldiers -
The Land of Bassat Qaqun Parcel 10,
Block 7998.

(29a)

I have the honour to forward for your consideration a petition and translated copy from the Mukhtars and Elders of Qaqun village, Tulkarm Sub-District, complaining against the recommendations of the State Domain Inspection Committee.

(26)

2. The High Commissioner in Executive Council approved the Committee's recommendations. This approval was contained in the Chief Secretary's letter No. L/102/45 of the 10th June, 1945, addressed to the Director of Land Settlement. 1946.

(10)

3. The Jewish Agency has already been informed that this area will be made available for them in the Director of Land Settlement's letter No. L/102/45 dated the 31st December, 1945.

4. The land had previously been let to Mohammad Abu Hentash for the three years ending on the 30th June, 1945. He has since died. Several Arabs paid rent to him for certain small areas, totalling only 20 dunams. The total area of the land is 396 dunams.

5. The recommendation of the Committee was that the portion cultivated by the Arabs should be excised and should remain for their benefit. As a condition of the long term lease to the Jewish Agency was that the whole area should be drained, it would seem that the Arab tenants should gain from it.

6. As the land has actually been offered to the Jewish

W. M. Lemen
DISTRICT COMMISSIONER,
SAMARIA DISTRICT.

His Excellency the High Commissioner,
Thro' the Asst. Dist. Commissioner, Tulkarm.

61
29a

Subject:- The Land of Basset Qaoun parcel 10 Block 7998

Your Excellency,

We the undersigned Mukhtars, notables, elders and farmers of Qaoun village, have the honour to submit to your Excellency the following.

This Basset was for decades a waqf land for the mosque of the village; many families were living on its products; it remained so until land settlement operations started when it was (with additional areas) registered in the name of your Excellency, thus depriving the Awaaf and the Arab Families of their equitable rights.

In front of this shocking fact, the late Madhat Abu Hantash hired the land for three years 1942-1945 at the rate of LP. 80 each years with Govt. taxes.

At the death of the late Madhat, the guardian for his minor sons applied to renew the lease but his application was refused without any justification.

To deprive the Arabs of this land is no less than leaving to starvation all the farmers and labourers who live upon it since time immemorial. They must be given priority to all others since they have been in possession for a long time and they have improved the land by cultivation and ploughing.

We insist on possession not from agricultural view only, but since we firmly believe that religiously the land is Waqf and is Sacred to us all.

We pray your Excellency to consider our case carefully since many families will starve or migrate to meet death if this land is not leased to us.

We firmly believe that our petition is positively enjoined with dictates of justice, equity, and humanity. We appeal to your Excellency for help in this very serious matter.

(Sgd) Mukhtar of Qaoun village

{ Abdulla el Jaber
{ Rashid ash Shurbaji
{ and Members of the Village
Committee
and forty three others.

الموقف - أرض بضة تاقون أو القسيه ١٠/٧/٤٨ 9 OCT 194٨

رئاسة مساعد حاكم اللواء بطركم المحترم

نتمى للهرباء العربية لعليا وكالتهم جبرية نسطه

والكلت العرب وصندرام

وكلالة الدناء لقدس

خاتمة المندوب السامي بفلسطين المحترم

لنا الشرف بان تعرض لفخامتكم نحن مختاري ومهمة اختياره قرية قانون ومزارعيها وعملها ما يأتي .
ان هذه البهه كانت من عشرات السنين وقتا لجامع القرية وكان يعيش منها بالاضافه الى الجامع عائلات
طابعها كذلك الى حين اعمال التسويه حيث سجلت بمساحات اضافيه باسم فخامتكم وبذلك حرمت الأوقاف والممتلكات
وتجاء هذا الأمر الواقع الذي سبب ضدهم للكثيرين فقد استأجر المرحوم مدحت افندي ابو هنطش هذه
الواحدة مع دفع الضرائب الأميره .

امضاءات هيئة تمهين خاير قرية قانون

Mr. Nasr

JM. 4/11

L/102/45

6 November,

District Commissioner,
Samaria District.

Sub:- Post-War Settlement of Jewish
Ex-Soldiers - The land of Bassat
Jagun Parcel 10, Block 7998.

Ref:- Your letter No. 86/M dated
28th October, 1946.

I am directed to request
that you will be good enough to
reply to petitioners in the terms
suggested in paragraph (6) of your
letter under reference.

(T. Nasr)
for CHIEF SECRETARY.

1947, 1948, 1949, 1950, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 26

24/20/15

U.S. District Court
Southern District

Ref - Your letter of 10. 06. 1958
Date - 10. 06. 1958

86/M

SECRET.

DIRECTOR OF LAND SETTLEMENT,
JERUSALEM.



8th March, 1947.

L/102/45

With reference to your letter No.GP/5/29(4) of the 11th February, 1947, regarding the State Domain at Qaqun which has been leased to the K.K.L. for the resettlement of ex-soldiers it will be extremely difficult, if not impossible, to persuade the Arab trespassers voluntarily to remove from the land in question.

2. This matter started in February, 1945, when a committee was formed to examine certain State Domain in the free zone with a view to leasing it to the K.K.L. for the resettlement of ex-soldiers. That committee found that the parcel in question adjoined another parcel of State Domain leased to the K.K.L.; that the land was marshy and without drainage and was suitable only for summer crops but that it could be drained and would then be good agricultural land; and that for three years, expiring on the 30th June, 1945, it had been leased to an Arab, the late Madhat Abu Hatash. The committee recommended that the part of the parcel cultivated by the Arabs should be excised and that the remainder should be made available for ex-soldiers on condition that the K.K.L. drained the whole parcel including that allocated to the Arabs.

3. This recommendation was approved by the Chief Secretary's letter No.L/102/45 of the 29th October, 1945.

4. In your letter No.GP/5/29(4) of the 7th November, 1945, following a petition by certain persons of Qaqun, you asked for my views, and in my letter No.86/M of the 26th November, 1945, I agreed in principle with the decision taken by the Government, but enquired what were the exact boundaries of the area which would be allocated to the Arabs.

5. In your letter No.GP/5/29(4) of the 4th December, 1945, you sent me a plan of your proposals which showed that about 100 out of the 394 dunums would be leased to Arabs. In my letter No.86/M of the 2nd February, 1946, I recommended that the area should be extended to some 200 dunums. In your letter No.GP/5/29(4) of the 4th April, 1946, you opposed this recommendation and adhered to your suggestion that 100 dunums only should be excised from the area to be leased to the K.K.L. and this was approved by the Chief Secretary's letter No.L/102/45 of the 10th June, 1946.

6. In 1945 the position locally did not indicate that the opposition to the lease would reach such proportions as it has to-day. The position has worsened considerably owing to nationalistic pressure from outside Jaqun supported by a strong press campaign and the Arabs are now intensely excited by the proposed occupation of the lands and are prepared to resist any eviction by force.

7. I am doing what I can to ease the position locally, but am not sanguine of success. In the circumstances I am not prepared to take or to recommend any action involving the use of force and would appreciate a discussion with you on the position at an early date.

(Sd/-) W. V. FULLER

DISTRICT COMMISSIONER
SAMARIA DISTRICT.

Copy to:-

Chief Secretary, Jerusalem.

24 MAR. 1947

22nd March, 1947.

36

C.S. FILE No. L/102/45 JERUSALEM

SECRETChief Secretary.
-----Subject :- Block 7998 Parcel 10 - Bassat Qaqun Lands.Reference:- Attached copy of a letter from Mr. Fuller,
District Commissioner, Samaria, to me.

This land nearly 400 dunums in extent is a marshy depression adjoining the lands of Kefar ha-Horesh (at about map reference 146:198). At Land Settlement Government's claim to it as unassigned State Domain, though disputed by certain individuals who could not show that they had ever done any serious cultivation in it, was easily upheld. After settlement, it was applied for both by the Jewish Settlers of the adjoining lands of Kefar ha-Horesh, and by certain Arabs (not those who had disputed Government ownership) of Qaqun. The Arabs based their claim on a highly exaggerated if not completely imaginary "occupation of twenty years". After some hesitation the parcel was let to Madhat Abu Hantash. A letter from Mr. Rowan Reeves the Assistant District Commissioner, Tulkarm, at the time says "Abu Hantash's conduct suggest either he is not so much interested in the land itself as in denying it to others, or that he proposed to obtain the lease and sub-lease at high rentals to villagers, or Jews".

2. Abu Hantash's lease ended in 1945, and an inspection of the land showed that little had been done to improve the condition of the land. (3)
3. A State Domain Inspection Committee consisting of the District Commissioner (or his representative), the Director of Land Settlement (represented by Mr. Berncastle), the Conservator of Forests and the Director of Agriculture examined the land in 1945, and as Mr. Fuller says, their report was accepted by Government, in Chief Secretary's letter L/102/45 of 29.10.45. A few days before the District Commissioner, Nablus, in a covering letter to petitioner from the Mukhtars and villagers said he presumed no action should be taken on the petition until a decision was reached on the Committee's report.
4. On receipt of Government's instructions on the report, I replied to the District Commissioner's letter as follows :-

"The recommendation of the State Domain Inspection Committee was approved by Government under Chief Secretary's letter L/102/45 dated 29th October, 1945. The recommendation was to the effect that the part of the parcel cultivated by Arabs should be excised and the remainder should be made available for ex-soldiers on condition that the whole of the parcel is drained. Subsequent survey showed that only a plot measuring 20.2 dunums was cultivated by Arabs. The Committee, consisting of Mr. Livingstone, Mr. Eyre, Mr. Goor and Mr. Berncastle found that the rest of the land was a marsh covered with rushes and wild grasses. This was at a time of year when Arable land should normally be under winter crops. I cannot imagine what can have happened to the large sums which the late Madhat Abu Hantash is stated to have spent on improving the land.

As you are aware from the above quoted letter from the Chief Secretary, I am now directed to submit recommendations as to the terms and conditions of a lease to the Jewish National Fund. I also propose to inform the Jewish Agency that Government has agreed that this land should be made available for ex-soldiers, on condition that a drainage scheme is prepared in consultation with the Chief Irrigation Officer, and if found suitable by Government, is executed by the Lessees.

? Make this file secret?
H 24
3

./.

I visited the land myself at that time and can confirm this. See file ②.
JCM
29/3/47.

In view of the petition forwarded with your letter I shall postpone taking action until I hear from you that you have no contrary views".

5. In reply, the District Commissioner agreed in principle but asked what would be the boundaries.

In reply to this, I sent the District Commissioner two plans, one showing that 20 dunums were found cultivated in March 1945 and the other showing that 139 dunums were cultivated in the summer of 1942. At the time of the Committee's inspection there was no trace at all of any cultivation. I suggested that if the whole area were properly drained they would get considerably more off 100 dunums than they were getting from their sporadic cultivation of the whole area.

6. On this the District Commissioner suggested that the area leased to the Arabs should be rather greater than 100 dunums and also suggested a slight adjustment in the boundary.

7. After another inspection, I wrote my letter No. GP/5/29(4) of 4th April, 1946, which was eventually approved by Ex.Co., in June 1946. Your letter No. L/102/45 of 10th June, 1946.

8. In June 1946, before I went on leave I informed the Jewish Agency of Government's decision and asked a representative to call to fix up the terms. They promised that a representative of the Keren Kayemeth Leisrael would call in the next few days to discuss the conditions of the leases. Actually the Jewish Agency did nothing to arrange the details of the lease until six months later.

9. In the meantime, with the general exacerbation of Arab-Jewish feeling and the evasions of the land transfers Regulations, the Arab politicians had been stirring up Arab feelings regarding the sale of land to Jews. The assassinations of Arab land brokers, the manifestations at Umm 'Ajra and now all these rather ridiculous telegrams about Qaqun are all the products of this agitation.

10. I was unable to have a discussion with Mr. Fuller before he left but I agreed substantially with his paragraph 6.

11. The facts of the present situation seem to me to be these three :-

- (1) All claims to any sort of right to use this land were thoroughly examined in judicial proceedings at Land Settlement and the land ownership was found to be State Domain, free from any encumbrances or over-riding rights in favour of anyone else; The Government was free to dispose as it thought fit. The Arab occupation of this land is quite unlawful, no more justifiable than any act of mis-appropriation of other people's property.
- (2) The land lies right up against Jewish region called Emek Hefer. It is in the "free" zone. Geographically, there is just as much reason for it to be leased to the Jews as to the Arabs. It cannot be made productive without costly drainage works, which the Qaqun Arabs are not likely to carry out efficiently. They have never cultivated as much as a hundred dunums.

The District Commissioner's letter referred to in paragraph 6 above stated that "Abu Hantash tractor ploughed 200 dunums with the object of cultivation just before his death, since when the greater part of these 200 dunums have been cultivated in patches with various winter and summer crops, the main ones being in order of area, melons, wheat, ocre and egg-plants. The water-holes from which these were irrigated still exist".

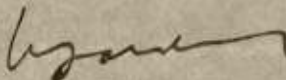
This is not a picture of economic land use and good farming. The recommendations which Government accepted were that the Jews should drain the whole land, in return for being allowed to cultivate less than 3/4th of it, whilst the Arabs, getting all the benefit of the

Jewish Drainage Scheme, would cultivate 1/4th.

- (3) Now as Mr. Fuller says, the Arabs will resist eviction by force. "in the circumstances" the District Commissioner is not prepared to take or recommend any action involving the use of force. If "in the circumstances" means that the Arabs are morally justified in these actions, then I could not agree with him. And if it means that security forces cannot be spared for the business; to that, I have nothing to say. But it may well be that the use of force would not be very welcome to the Jews - (at any rate, the thinking Jews). They are at pains to show that they can maintain amicable relations with Arabs. They would have to protect the land, after they were put in possession of it.

12. The above seem to me to be the three essential facts of the situation. If the Arabs will accept nothing less than the whole parcel, or will not even accept, say, half the land - then it is useless trying to negotiate. We have made a lease with the Jews and accepted the rent. If we are determined in any event not to use force to evict the Arabs, it is useless asking the Jews whether they would welcome being put in possession by force.

It is not my function to advise Government on how to handle situations produced by political movements - but it is my duty to remind Government that this apparent inability of Government to protect its own property, to dispose of it by lawful means to the persons who have lawfully contracted with the Government, is a very disquieting growth.



DIRECTOR OF LAND SETTLEMENT,
&
WATER COMMISSIONER.

Copy to: District Commissioner,
Samaria District.

RFJ/NB.

(7) For the purpose of the present report, the term "territory" is defined as any area of land, water, or air, which is under the control of a government, and which is not under the control of another government. The term "territory" is used in this report to refer to the area of land, water, or air, which is under the control of a government, and which is not under the control of another government. The term "territory" is used in this report to refer to the area of land, water, or air, which is under the control of a government, and which is not under the control of another government.

12. The above-mentioned territory is the area of land, water, or air, which is under the control of a government, and which is not under the control of another government. The term "territory" is used in this report to refer to the area of land, water, or air, which is under the control of a government, and which is not under the control of another government. The term "territory" is used in this report to refer to the area of land, water, or air, which is under the control of a government, and which is not under the control of another government.

13. The above-mentioned territory is the area of land, water, or air, which is under the control of a government, and which is not under the control of another government. The term "territory" is used in this report to refer to the area of land, water, or air, which is under the control of a government, and which is not under the control of another government. The term "territory" is used in this report to refer to the area of land, water, or air, which is under the control of a government, and which is not under the control of another government.

SECRET

SECRET

SECRET

SECRET

C O P Y

DISTRICT COMMISSIONER'S OFFICE
SAMARIA DISTRICT,
NABLUS.

SECRET.

8th March, 1947.

DIRECTOR OF LAND SETTLEMENT,
JERUSALEM.

With reference to your letter No.GP/5/29(4) of the 11th February, 1947, regarding the State Domain at Qaqun which has been leased to the K.K.L. for the resettlement of ex-soldiers it will be extremely difficult, if not impossible, to persuade the Arab trespassers voluntarily to remove from the land in question.

2. This matter started in February, 1945, when a committee was formed to examine certain State Domain in the free zone with a view to leasing it to the K.K.L. for the resettlement of ex-soldiers. That committee found that the parcel in question adjoined another parcel of State Domain leased to K.K.L.; that the land was marshy and without drainage and was suitable only for summer crops but that it could be drained and would then be good agricultural land; and that for three years, expiring on the 30th June, 1945, it had been leased to an Arab, the late Madhat Abu Hatash. The committee recommended that the part of the parcel cultivated by the Arabs should be excised and that the remainder should be made available for ex-soldiers on condition that the K.K.L. drained the whole parcel including that allocated to the Arabs.

3. This recommendation was approved by the Chief Secretary's letter No.L/102/45 of the 29th October, 1945. — (3)

4. In your letter No.GP/5/29(4) of the 7th November, 1945, following a petition by certain persons of Qaqun, you asked for my views, and in my letter No.86/M of the 26th November, 1945, I agreed in principal with the decision taken by the Government, but enquired what were the exact boundaries of the area which would be allocated to the Arabs.

5. In your letter No.GP/5/29(4) of the 4th December, 1945, you sent me a plan of your proposals which showed that about 100 out of the 394 dunums would be leased to Arabs. In my letter No.86/M of the 2nd February, 1946, I recommended that the area should be extended to some 200 dunums. In your letter No.GP/5/29(4) of the 4th April, 1946, you opposed this recommendation and adhered to your suggestion that 100 dunums only should be excised from the area to be leased to the K.K.L. and this was approved by the Chief Secretary's letter No.L/102/45 of the 10th June, 1946. — (26)

6. In 1945 the position locally did not indicate that the opposition to the lease would reach such proportions as it has to-day. The position has worsened considerably owing to nationalistic pressure from outside Qaqun supported by a strong press campaign and the Arabs are now intensely excited by the proposed occupation of the lands and are prepared to resist any eviction by force.

7. I am doing what I can to ease the position locally, but am not sanguine of success. In the circumstances I am not prepared to take or to recommend any action involving the use of force and would appreciate a discussion with you on the position at an early date.

(Sgd.) ?

DISTRICT COMMISSIONER
SAMARIA DISTRICT.

Copy to:- Chief Secretary,
Jerusalem.
RC.

DISTRICT COMMISSIONER'S OFFICE
SAMARIA DISTRICT
NABLUSS

8th March, 1947.

SECRET

DIRECTOR OF LAND SETTLEMENT,
JERUSALEM.

With reference to your letter No. 67/529(4) of the 11th February, 1947, regarding the State Domain at Qadun which has been leased to the K.K.L. for the resettlement of ex-soldiers it will be extremely difficult, if not impossible, to persuade the Arab trespassers voluntarily to remove from the land in question.

2. This matter started in February, 1945, when a committee was formed to examine certain State Domain in the free zone with a view to leasing it to the K.K.L. for the resettlement of ex-soldiers. That committee found that the parcel in question adjoined another parcel of State Domain leased to K.K.L.; that the land was manure and without drainage and was suitable only for summer crops but that it could be drained and would then be good agricultural land; and that for three years, expiring on the 30th June, 1945, it had been leased to an Arab, the late Medhat Abu Hatab. The committee recommended that the part of the parcel cultivated by the Arabs should be ex-cised and that the remainder should be made available for ex-soldiers on condition that the K.K.L. drained the whole parcel including that allocated to the Arabs.

3. This recommendation was approved by the Chief Secretary's letter No. 1/102/45 of the 29th October, 1945.

4. In your letter No. 67/529(4) of the 7th November, 1945, following a petition by certain persons of Qadun, you asked for my views, and in my letter No. 86/M of the 26th November, 1945, I agreed in principle with the decision taken by the Government, but pointed out that the exact boundaries of the area which would be allocated to the Arabs.

5. In your letter No. 67/529(4) of the 4th December, 1945, you sent me a plan of your proposals which showed that about 100 out of the 300 dunams would be leased to Arabs. In my letter No. 86/M of the 2nd February, 1946, I recommended that the area should be extended to some 200 dunams. In your letter No. 67/529(4) of the 4th April, 1946, you opposed this recommendation and adhered to your suggestion that 100 dunams only should be ex-cised from the area to be leased to the K.K.L. and this was approved by the Chief Secretary's letter No. 1/102/45 of the 10th June, 1946.

6. In 1945 the position locally did not indicate that the opposition to the lease would reach such proportions as it has to-day. The position has worsened considerably owing to nationalist pressure from outside Qadun supported by a strong press campaign and the Arabs are now intensely excited by the proposed occupation of the lands and are prepared to resist any eviction by force.

7. I am going what I can to ease the position locally, but am not sanguine of success. In the circumstances I am not prepared to take or to recommend any action involving the use of force and would appreciate a discussion with you on the position at an early date.

(Sd.)
DISTRICT COMMISSIONER
SAMARIA DISTRICT.

Copy to: Chief Secretary,
Jerusalem.

HC.

L/101/45

38

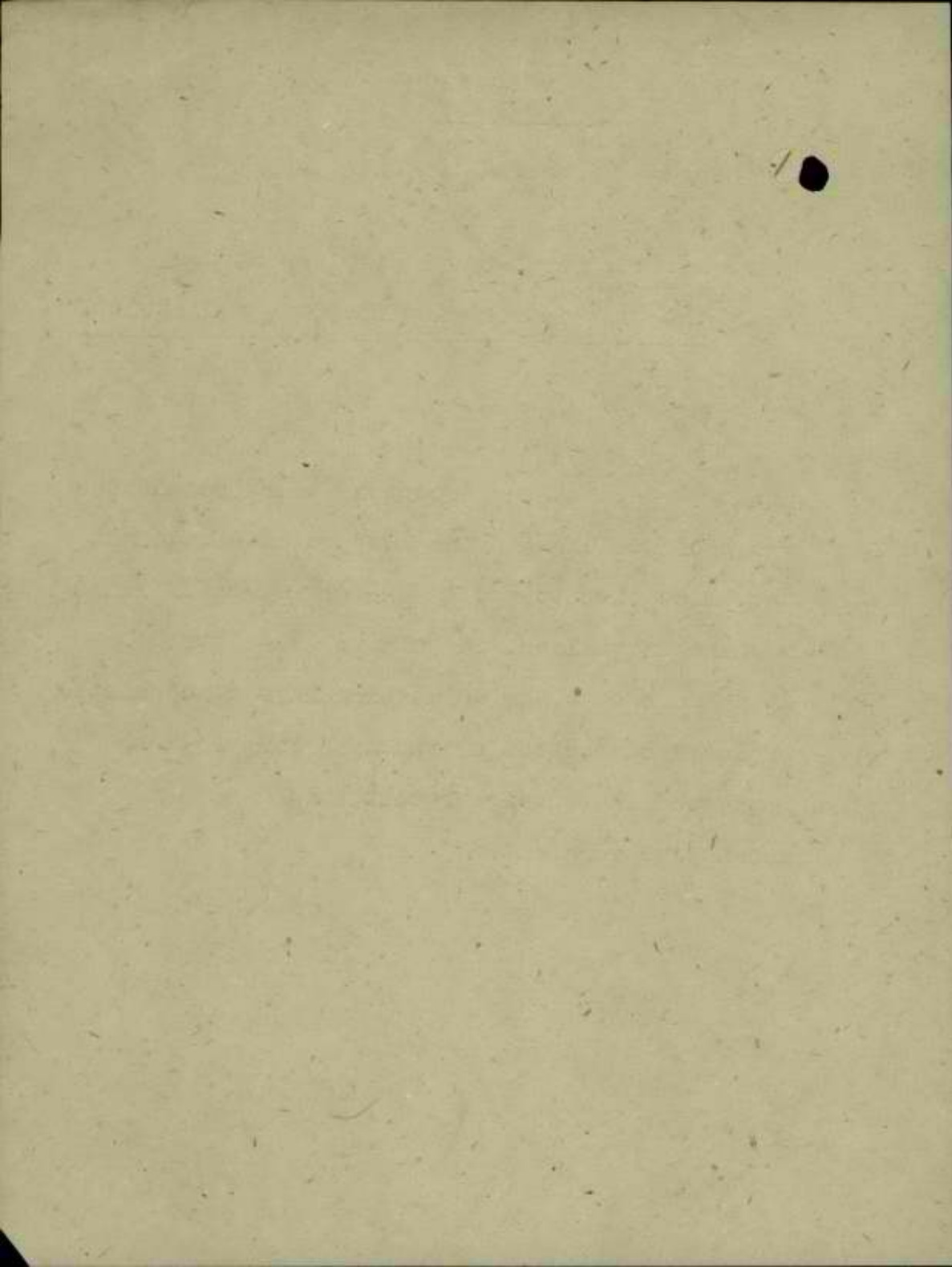
SF 116/47



Extract from Fortnightly Report for
the period 1st - 15th March, 1947 by
the District Commissioner, Lydda District.

56. A deputation purporting to represent the whole of Ramle and Lydda has protested against the allocation to Jewish ex-servicemen of lands near Kakun village, in Tulkarm sub-district. It appears that the deputation in fact consisted of local supporters of the Arab Party. They requested that their protest should be made known to Government.

Wm



✓

GOVERNMENT OF PALESTINE.

(39)

IN REPLY PLEASE QUOTE

No.

86/M

CHIEF SECRETARY'S OFFICE
(Chief Clerk)

20 MAR 1947

JERUSALEM

DISTRICT COMMISSIONER'S OFFICES,
SAMARIA DISTRICT,
NABLUS.

19th March, 1947.

SF/116/H7

CHIEF SECRETARY.

(14)

With reference to your (30) 4/26/47
endorsements No. L/101/45 of the 9th
March, 1947, and endorsement No.
L/1/5/44 of the 11th March, 1947,
regarding the question of State Domain
at Qaqoun and Qalansawah, I have the
honour to refer you to my letter No.
86/M of the 8th March, 1947, in which
I reported fully on this subject.

(31)

M. M. M. M.
DISTRICT COMMISSIONER
SAMARIA DISTRICT.

Wms



WAS/DMD
99/4/47

BRITISH EMBASSY,
CAIRO.

26th March, 1947.

Dear Secretariat,

I transmit herewith copy of a letter from the Secretary General of the Arab League to the Oriental Minister enclosing copies of three telegrams received from natives of certain districts in Palestine regarding the alleged expropriation from their lands in favour of demobilised Jews. I should be glad to know what answer you would wish us to return to Azzam Pasha.

Yours ever,

Re. S. P. S. P.

The Secretariat,
Jerusalem.

Mrs.

COPY/DMD

LEAGUE OF ARAB STATES

SECRETARIAT.

1658/60/8/2

Cairo, March 13th, 1947.

Dear Sir Walter,

Enclosed are copies of three telegrams received from the natives of Kakoun, Bissan and Kalanswat Tolkaram in Palestine.

The complaint is expropriation by Palestinian Government of their Arab lands in favour of demobilised Jews, and I should be glad if you would look into the matter.

Yours sincerely,

(sgd) A.A. Azzam.

Sir Walter Smart,
British Embassy,
Cairo.

C
P
Y

436

TO: H.E. Azzam Pasha, General Secretary of the
League of the Arab States, Cairo.

The natives of Kakoun belonging to Tolkaram whose number amounts to 2500 Arabs since the time of the Islamic occupation have been cultivating the land of Basa Kakoun which is the only grazing land for their cattle and their only means of livelihood. The local Government informed us to-day that we must hand over this land to demobilised Jews. We refused to submit to this injustice. We appeal to the Islamic and Arab worlds to help us defend our rights and sacred home. We call the world as witness that we shall never leave our land except as dead corpses. We will redeem it with our lives. Long live Palestine a free, independent, Arab country.

(Signed).

Member of a Committee, Mohamed Mustafa

Hantash Abdel Rehim

Igbara Wagih

Mokhtar Kakoun

Rasheed el Shurbagui

Mokhtar Kakoun

Abdalla el Gabr

Member of Committee, Abdel Raouf Zeydan

" " Abdel Kader el Sheikh Ahmed

" " Nimr Mustafa el Makal

Wagih Said Hassan el Sholi

member of a Committee, Said Mahmoud Naifa

~~Wagih Dib Mustafa Abu Hantash~~

Wagih, Dib Mustafa Abu Hantash

Wagih, Mohamed Mahmoud el Shalabi

Wagih, Mustafa Igbara Ahmed el Mekahal

Wagih, member of committee, Abdalla Kenaan.

TO: H.E. Azzam Pasha, General Secretary of the
League of the Arab States, Cairo.

Our village Kalanswat Tolkaram possesses large lands of about 750 dunoms in extent, called the Western Common and the Eastern Common. These were temporarily registered by agreement in the name of the High Commissioner. The judge recommended that when the villagers could pay the necessary fees it would be registered in their name. The villagers have asked to be exempted from the payment of these fees, because the land belongs to them, and they have been cultivating it for hundreds of years. They are still awaiting the reply of the Government to their request. The Government in spite of this planted the Western Common, an area of 342 dunoms some years ago. To-day it desires to let the Eastern Common 400 dunoms in extent to demobilised Jews, although this is Arab land left to us by our fathers and grandfathers and has been at the disposal of the villagers since the Islamic occupation. The fact that it was registered temporarily in the name of the High Commissioner does not mean the cancelling of proprietorship of its Arab owners. We appeal to you and to the Islamic and Arab worlds for justice and for protection against these actions aimed at driving us out of the Sacred land.

(Sgd.)

Abdalla Asad Said Mokhtar

Kalanswat Fares Mustafa

Salah Mustafa el Natour

Wagih Ahmed Abdalla
El-Kasem, Member of the
Committee.

The tragedy of Andalusia is being re-enacted on the stage of Bessan, in its most horrible form. The Mandatory Power has dug in its claws under the Balfour Declaration until it has given everything to the Jews. The lands drift away largely and continually by various devilish and illegitimate means. Agents offer large amounts to entice the land-owners, and use threats and assassination, as in the case of Kawmi. Trusteeships have been organised for minors as in the case of the heirs of Khalil el-Mahroum, and for lunatics as in the case of Mohamed Abu Oker, even taking on the personality of the dead as in the case of Baraka. Danger is imminent and the situation is critical. The nation is on the edge of precipice. We appeal to you to save this sacred land, and we lay the responsibility upon you before God, the nation and the country;

Signed.

Jamil el Hamawi	Abdalla Abu Hassouna
Amer Bin Said	Abdel Raouf el Nagi
Mohamed Abul Rab	Said el Saheb
Mohamed el Talekh	Hamdi Abu Ali
Sadek el Ghaffari	Nimr el Ersan
Mohamed Fakhr el Din	Ahmed Bindagshi
Ibrahim Saba	Mohamed Taleh el Gazawa
Abdalla Abu Hassouna	Mohamed Selim Higazi
	Mohamed el Zaza
	Saleh el Zo'bie.

QĀQŪN

REGISTRATION BLOCK 7998

SCALE 1:5,000

"A"



STATE DOMAINS.

AGREEMENT FOR AGRICULTURAL LANDS.

AN AGREEMENT made this...16th.....day of...January.....one thousand nine hundred and forty...seven.....between His Excellency the High Commissioner for Palestine on behalf of the Government of Palestine (hereinafter called the Lessor of the one part and ...The Keren Kayemeth Leisrael Ltd.....of..Jerusalem.....his heirs and assigns (hereinafter called the Lessee) of the other part.

WHEREBY the Lessor agrees to let and the Lessee agrees to take all that area of land described in the schedule hereto and hereinafter referred to as "the premises" for the period ofOne year..... from the1st..... day of ...January..... 1947....to theThirty..first... day of December...1947. (determinable nevertheless as hereinafter mentioned) at a rent of..Fifty..nine..Palestine..Pounds..and.....payable as 440/1000 mils hereinafter mentioned.

1. The Lessee hereby agrees —

(a) To pay in addition to the rural property tax due for the financial year 194...7.../194.8....a yearly rent of..fifty..nine..Palestine..Pounds..and..Four..hundred..and..Forty..mils... (£P. ...59.440..... mils) payable in advance ~~instalments-on-or-before-the~~ ~~day-of-each-of-the-months-of~~ ~~in-every-year-the-first-of-such-payments-being-made-on~~ the execution hereof.

~~(b) To keep the outside and inside of any buildings now erected or hereafter to be erected upon the premises in good and tenantable repair, fair wear and tear and damage by accidental fire only excepted and to hand over such buildings in such condition at the expiration or other determination of the tenancy hereby created.~~

(c) To maintain and keep all watercourses, drains and channels in good order and condition together with all gutters pipes etc. and conform to the requirements of Part V of the Public Health Ordinance, 1940, or any Ordinance in amendment or replacement thereof.

(d) To cultivate the land in accordance with the rules of good husbandry and according to custom.

(e) Not to sublet, assign mortgage or otherwise dispose or part with possession of the premises unless the prior written consent of the Lessor has been obtained, and if such consent is obtained to pay to the Lessor a fee of £P.2.— to cover the cost of alteration of records and/or preparation of agreements.

(f) To pay all Government and Local rates and taxes and be subject to all orders and regulations applicable to land of a like nature or hereafter made payable or applicable in the said District wherein the premises are situated.

(g) To erect buildings, or make alterations or additions to existing buildings on the premises only when the consent in writing of the Lessor has first been obtained and to ensure that any such buildings, alterations or additions shall be completed to the satisfaction of the Lessor and in accordance with plans and designs which shall have had the prior approval of the Lessor.

(h) At the expiration or sooner determination of this agreement to dismantle and remove any buildings, alterations and additions and any irrigation and drainage works placed by him upon the premises in breach of Clause 1(g) or Clause 1(n) of this Agreement if required to do so by the Lessor and to restore the premises to their state existing at the commencement of the tenancy hereby created.

(i) To allow the Lessor or his representative to inspect the premises at any reasonable time. To allow the irrigation officer or any person authorised by him or the Water Commissioner to enter upon the premises and to undertake surveys or levelling thereon and dig and bore into the subsoil and to do all other acts necessary for the proper prosecution of any enquiry relating to the utilisation or disposal of water or for the proper maintenance, regulation or management of any water work.

(j) To pay interest on all sums payable under the tenancy hereby created which shall be in arrear at the rate of nine per centum per annum from the date when payment is due.

(k) To be subject to the procedure laid down in the Taxes (Collection) Ordinance (Cap. 137) or any Ordinance in amendment or replacement thereof as regards the collection of rent and interest thereon due under this Agreement.

(l) Quietly to yield up the premises and all fixtures thereon the property of the Lessor at the expiration or sooner determination of the term hereby created in good and tenantable repair and clean condition and fit for occupation by an incoming Lessee.

P.T.O.

449

N o t e.

I enclose a copy of the lease which I have obtained from the D.L.S.

2. As far as I can see there is no obligation on the Government to evict the trespassers, and in fact I very much doubt whether Government would have any legal power to do so. The only remedy open to Government at present would be proceedings under section 24 of the Ottoman Magistrates Law. Under this section an action cannot be brought unless the plaintiff can show that he was in actual possession of the land immediately before the entry of the trespasser, and unless the plaintiff brings his action within a few months after the entry of the trespasser. It has been held that the mere fact that the land is registered in the name of the Government is not enough to prove actual possession. There would be the further difficulty of establishing when the trespassers entered on the land.

3. There is no evidence on this file on which criminal proceedings for trespass could be instituted.

4. The Jewish National Fund would be in much the same difficulties as the Government if it sought to take action under section 24 of the Ottoman Magistrates Law, and it would appear that their only remedy as the matter stands would be to file actions against each of the trespassers in the Land Courts. This would be an extremely heavy burden involving heavy expenditure and long delay, and I imagine the difficulty would be that by the time they had got the present trespassers evicted, a whole lot more would have taken their place.

5. Several years ago the question of enacting a new and more effective Trespass Ordinance was under consideration, but the political difficulties led to the matter being dropped. It is for consideration whether the time has not come for the matter to be revived, because the present position seems to be quite intolerable from the point of view of the Government. I have every reason to believe that the D.L.S. would support new legislation.

Q

4 April, 1947.

ATTORNEY GENERAL.

SF/116/47

SECRET

10th April, 1947.

District Commissioner,
Samaria District,
Nablus.

I am directed to refer to your Secret letter of the 8th March addressed to the Director of Land Settlement regarding the State Domain at Qaqun and to request you to furnish me as soon as possible with an up-to-date report on this matter showing the actual extent of Arab encroachment.

(signed) J. Fletcher-Cooke

(J. Fletcher-Cooke)

for CHIEF SECRETARY

John - 1841 - 1842 (Hayden)

SF/116/47

10th April, 1947.

Dear Chancery,

With reference to your letter
No. 99/4/47 of the 26th March, 1947,
we should be obliged if you would
send a simple acknowledgement of the
Arab League's letter to the Oriental
Minister.

Yours ever

(Sgd.) J. Fletcher-Cooke

Jerusalem Secretariat

The Chancery,
The British Embassy,
Cairo.

Record of a Meeting with Kassem Eff.
Rimawi on 3.4.47.

Kassem Eff. explained that he had come on behalf of the P.A.P., of which he is Director-General, and the Arab Higher Committee to discuss certain grievances of the Arabs. He explained that it was felt that Government was out of contact with Arab problems owing to the fact that they (the Arabs) had no English paper to bring their grievances before us.

2. The matters he raised were:

- (a) the behaviour of troops in Gaza which he said had aroused very great illfeeling among the Arabs. The streets of the town were really not safe at night; recently Munir Rais and a women were shot dead and an attempt to shoot four beduins had been made. I said that I would transmit his representations to the appropriate authorities;
- (b) a number of murders of Arabs (including Fakkrud Din and Abdullah Sameya) which he said he had evidence to show were committed by Jews. He asked for Protection for leading Arabs. I said that protection was a matter for the Police and that the evidence that the murders were by Jews (which was the first I had heard about it) should also be given to them. Kassem Eff. then revealed that he had already approached Mr. Catling and I said this would suffice;
- (c) the remission of taxes in the South. I said that I did not know what the position was but I believed that the question was under consideration and that he could rest assured that Government would deal justly. I also pointed out that on his visit to Beersheba His Excellency had announced the remission of tithes in that sub-district. Kassem Eff. replied that he had intended to raise other matters regarding the drought but His Excellency's speech was so satisfactory that he had dropped them and instead wished to thank Government in the name of the P.A.P. and A.H.C. for what it was doing;
- (d) the present system of appointing mukhtars without democratic election which was most unsatisfactory, and was leading to increased fassad, the greatest obstacle to progress in the Arab villages. He alleged that in many cases District Officers were being bribed to appoint mukhtars and gave the following villages where unsatisfactory appointments had been made:

Beit Rima, Ramallah S/D (where Hassan Ahmed Zeidani, who is illiterate and poor in a village containing many literate and rich men, was appointed).

Beit Nabala, Lydda S/D (where there had been four recent changes of mukhtar, LR 200 being paid to the D.O. each time).

Zera'a en Nubbani, Ramallah S/D.

Dura Ramallah S/D.

I said that I was unable to comment but would pass his complaints to the appropriate section of the Secretariat. With reference to his claim for democratic election of mukhtars I said that I had occasionally seen similar requests regarding the A.H.C. He said that it would one day be elected but nothing could be done now in order not to upset matters when the Palestine case was going to the U.N. Anyway the A.H.C. really was very democratic and represented 90% of the Arabs of Palestine.

- (e) impending transfers of land to the Jews, especially in QACUN and QALANSA. He said that the Arabs were very worked up about this and that he had visited those on the lands in question and found that they were determined to resist eviction by force and if necessary to die. I agreed to pass his representations on to the appropriate section of the Secretariat;
- (f) the release of ZULKIFL ABDUL LATIF;
- (g) alleged discrimination by the Censor against el Wihdah compared with other Arabic papers.

On the last two points it was agreed that written representations would be awaited.

5.4.47.

Extract from letter No.10/C of the 2nd April 1947
from the District Commissioner's Office, Nablus
to the Chief Secretary.

x

x

x

Arabs of all shades of political opinion have united on the Qaqun issue and have declared that any attempt to lease the state domain to Jewish ex-servicemen will be forcibly resisted. The fellahin, who have been using the land over a long period for purposes of grazing and patch cultivation, have come to look upon it as an integral part of their village lands. Feeling regarding the state domain at Qalansawa is less strong.

BRITISH EMBASSY,
CAIRO.

21st April, 1947.

99/5/47

Dear Secretariat,

----- (47) -----
With reference to your letter No. SF/116/47 of 10th April, I enclose herewith copy of our acknowledgment of the Arab League's letter regarding the petition from the natives of Kakoun, Bissan and Kalanswat Tolkaram in Palestine. You will of course realise that if the answer is a difficult one to give it will probably be better to give it sooner than later. If after some time, the Secretary-General of the Arab League asks for an answer, it will presumably be necessary to give him one of some sort.

Yours ever,

The Secretariat,
Jerusalem.

Recreant

4/12



THE
OFFICE OF THE
SECRETARY OF THE
NAVY
WASHINGTON, D. C.

DEPARTMENT OF THE NAVY
WASHINGTON, D. C.

RECEIVED
JAN 10 1917
NAVY DEPT
WASHINGTON, D. C.

/RV

BRITISH EMBASSY,
CAIRO.

21st April, 1947.

99/5/47

I have the honour to acknowledge receipt of your letter No. 1658/60/8/2 of March 13th enclosing telegrams received from the natives of Kakoun, Bissan and Kalanawat Tokkaram in Palestine.

A copy of your letter has been forwarded to the Government of Palestine.

His Excellency,
Abdel Rahman Azzam Pasha,
Secretary-General of the Arab League,
Al Bustan Palace,
Al Hawyati Street,
Cairo.

GOVERNMENT OF PALESTINE.

IN REPLY PLEASE QUOTE

No. 86/M

SECRET



DISTRICT COMMISSIONER'S OFFICE.

SAMARIA DISTRICT.

NABLUS.

30 April, 1947.

CHIEF SECRETARY.

With reference to your secret letter no. SF/116/47 of the 10th April, 1947, regarding state domain in parcel 10 of block 7998 at Qaqun in the Tulkarm sub-District, as a result of a recent inspection it is estimated that some 125 dunums are being used for the cultivation of vegetables, and that a further 100 dunums have been tractor ploughed. The total area of parcel 10 is 393.731 dunums.

2. Considerable resentment is still felt by the Qaqun villagers against the proposal that the land should be leased to Jewish ex-servicemen, and reports indicate that neighbouring villages have promised their help should the Jews attempt to take possession.

The villagers are not contesting Government ownership but they do claim that they should be permitted to make use of the land if Government itself does not wish to do so; and however much this claim may be politically inspired it would be the less strong were there no basis for the Arabs' contention that in fact they or their forbears have been using this land for purposes of grazing and patch cultivation long before the advent of Jewish settlers to the neighbourhood, and since.

3. My impression of the Jewish reaction is that they are in no hurry to enter into occupation in view of the strong Arab opposition, but that they would be willing to use the land if it could be cleared for them, and kept cleared, without involving them in direct conflict with the villagers.

In effect this means that the land could be handed over only if the security forces were able to intervene.

I took the opportunity in a recent meeting of the Local Security Committee to discuss the implications of the latter point, and it was apparent that owing to other pressing commitments neither the Brigadier nor the Superintendent of Police is in the position to provide the force necessary to turn the Arabs off and keep them off.

4. The position in regard to the neighbouring state domain at Qalansawa (vide your papers SF/138/47) is much the same. The mukhtar of Geulim colony, which is near this piece of land, reported that shots had been fired over the colony on the night of April 1st and that next day he had been visited by the mukhtar and others of Qalansawa and warned against going onto the land. This report, however, was not lodged until the 3rd of April, and when the Police made an inspection they were unable to find any evidence of firing. The mukhtar of Qalansawa stated that some shooting had taken place but only in the course of a celebration.

5. There is now little doubt that the villagers are determined to oppose by force any attempt to hand over any part of either of these lands to the Jewish ex-servicemen, and that in so doing they would have the active support of others who would not be deterred by the probability of a serious breach of the peace or undesirable repercussions in other areas where, it is understood, similar difficulties are being encountered.

GOVERNMENT OF PALESTINE.

IN REPLY PLEASE QUOTE

No. _____

DISTRICT COMMISSIONER'S OFFICE.

SAMARIA DISTRICT.

NABLUS.

- 2 -

The disadvantages at the present time of a conflict of this nature between Government forces and Arab villagers are obvious enough, and it would therefore seem very desirable that no action should be taken to evict the Arabs, particularly as the security forces are already fully occupied.

6. In order to avoid further trouble later it is suggested that the existing leases with the K.K.L., which have been entered into for a period of one year, should not be renewed and that, if possible, alternative state domain should be made available elsewhere.

In such case the land at present in dispute could most satisfactorily be disposed of by handing it over to the Department of Forests.

Roman Rums

Ag. DISTRICT COMMISSIONER,
SAMARIA DISTRICT.

GOVERNMENT OF PAKISTANE

Ministry of Education
Government of Pakistan
Islamabad

Reference is made to the letter of the Ministry of Education, Government of Punjab, dated 10/1/58, regarding the subject mentioned above. It is noted that the Government of Punjab has decided to provide for the establishment of a new school in the district of Lahore. The Government of Pakistan is pleased to note this decision and is prepared to provide the necessary financial assistance for the establishment of the school.

The Government of Pakistan is also pleased to note that the Government of Punjab has decided to provide for the establishment of a new school in the district of Lahore. The Government of Pakistan is prepared to provide the necessary financial assistance for the establishment of the school.

The Government of Pakistan is also pleased to note that the Government of Punjab has decided to provide for the establishment of a new school in the district of Lahore. The Government of Pakistan is prepared to provide the necessary financial assistance for the establishment of the school.

Yours faithfully,
Minister of Education

SF/116/47

7th May 1947.

Dear Chancery,

In answer to your letter No. 99/5/47 enclosing a copy of your acknowledgment of a letter from the Arab League regarding certain land questions in Palestine, we quite appreciate that it is better to give difficult answers sooner rather than later. It was not on these grounds that we suggested the reply from yourselves to the Arab League should be a simple acknowledgment.

We suggest that the opportunity should not be lost, if it occurs, of pointing out that Palestine is not a member of the Arab League, and that any replies due from the Palestine Government to Arabs of Palestine will be given by ourselves to them and not through the channels of the League in Cairo.

Yours ever,

(Sgd.) H. L. G. GURNEY

JERUSALEM SECRETARIAT.

Chancery,
H. B. M. Embassy,
Cairo.

STANLEY

7th May 1941

Dear General,

In answer to your letter No. 221, I am enclosing a copy of your acknowledgment of a letter from the Arab League regarding certain points mentioned in Palestine. We will appreciate it if you could give a brief reply to the points raised. It was not on these points that we suggested the reply from yourselves. The Arab League should be a single acknowledgment. We suggest that the opportunity should not be lost, if it occurs, or pointing out that Palestine is not a member of the Arab League, and that the reply from the League should be given to the Arab League. It will be given by ourselves to them and not through the channels of the League in Cairo.

Yours ever,

(221) 1st May

STANLEY

General,
221st May
021704

EXECUTIVE COUNCIL

(57)
File No. SF/116/47

CIRCULATED FOR INFORMATION
PRIOR TO ORAL DISCUSSION

The following question will be considered at the next meeting of the Council after circulation has been completed:-

What action should be taken in regard to the situation which has arisen in the State Domain Lands at Quagun and Qualansawa in the Tulkarm Sub-District leased to the Jewish National Fund.

~~Copies of a note on the subject are attached, one for retention by each member.~~

Date 9 May 1947

G. M. S. S. S.
Clerk to the Executive Council

Seen

J. H. P. 10/5/47 Initials of Hon. Members
H. E. L. 13/5/47
John 13/5
all 15/5/47

Seen

This file deals with the proposal to lease 294 dunums of State Domain in Quaqun, Tulkarm Sub-District, to the Jewish National Fund for the resettlement of ex-servicemen, ^{with} and Arab reactions to the proposal.

2. The position at 31st March is summarised in the minute at (41) in this file.

3. Protests are to be found in L/26/47, (see especially folio (14)) and in L/28/40A (see especially folio (12)).

4. A note by the A.G. on Government's legal obligations under the lease granted to the Jewish National Fund in regard to the eviction of Arab trespassers is at folio (44a).

5. The most recent report from the District Commissioner on the position at Quaqun is at folio (52). Reference is also requested to folio (61), folio (65) and folio (72) in SF/138/47 which indicate that a similar situation has arisen in the case of the Qualansawa lands in the Tulkarm Sub-District.

6. Three courses of action have been suggested:-

(a) for Government, as landlord, to evict the Arab trespassers and then to hand over the land to the Jewish National Fund;

(b) for Government to do nothing and to leave it to the Jewish National Fund as tenant either to apply to the courts for an eviction order

or to persuade the trespassers to move by means of some financial inducement;

- (c) that the existing leases with the K.K.L., which have been entered into for a period of one year, should not be renewed and that, if possible, alternative state domain should be made available elsewhere, the lands in dispute being handed over to the Department of Forests.

hnd

DECISION OF EXECUTIVE COUNCIL

Dated 16th May, 1947.

II. LAND DISPUTES BETWEEN ARABS AND JEWS IN BEISAN AND TULKARM SUB DISTRICTS.(1) Umm Ajra and Safa

The High Commissioner consulted Council as to the action which should be taken to assist the Keren Keyemeth Leisrael to obtain possession of the areas in respect of which they had recently acquired title from Government.

Council advised that Government should accept no more than its legal obligations but that if and when the Keren Keyemeth Leisrael obtained an Eviction Order from a Court, it should assist in the enforcement of that Order.

(2) Qaqun.

The High Commissioner consulted Council as to the action to be taken to enable the Jewish National Fund to take possession of State Domain at Qaqun held under lease.

Council advised that action to obtain an eviction lay with the National Fund and that, since the present lease was shortly due to expire, Government should take no immediate steps to bring about a solution until the political situation was clarified.

THE HIGH COMMISSIONER CONCURRED AND ORDERED ACCORDINGLY

SF/116/47

30th May, 1947.

Director of Land Settlement
and Water Commissioner

59
36

I am directed to refer to your letter No.GP/5/29(4) of the 22nd March, 1947, regarding the lease to the Jewish National Fund of state domain lands at Qaqun and Qualansawa, Tulkarm Sub District for use by Jewish Ex-Servicemen and to inform you that the High Commissioner in Executive Council has ordered that action to obtain an eviction order against the Arabs lay with the Jewish National Fund and that since the present lease is shortly due to expire, Government should take no steps to bring about a solution until the present political situation is clarified.

E. MatTA
(E. MATTA)

for CHIEF SECRETARY

52

Copy to:- A/District Commissioner, Samaria
for information with reference to
his letter No.86/M of 30.4.47.

SF/138/47.

29/5 MM

92

34

211

22

GOVERNMENT OF PALESTINE

SECRETARY'S OFFICE
(Chief Clerk)

IN REPLY PLEASE QUOTE

No. GP/5/18(23).

DEPT. OF LAND SETTLEMENT,
AND WATER COMMISSIONER.
JERUSALEM.

P. O. B. 189 - TEL. 4497.

23rd June, 1947.

JERUSALEM

C.S. File SF/116/47.

Chief Secretary.

Subject :- Lease to the Jewish National
Fund of State Domain lands at
Qaqun & Qalansawa, Tulkarm S/D.

Reference:- Your SF/116/47 of 30th May,
1947. -----

It is not correct to say that the
action to obtain an eviction order against
the Arabs lay with the Jewish National Fund,
nor did Executive Council think so. (I was
present at the meeting.

(CIA)
2. In the meantime I have received the
attached letter from Mr. Weitz - I should be
glad of instructions as to how to reply.

Lyman
DIRECTOR OF LAND SETTLEMENT,
& WATER COMMISSIONER.

RFJ/NB.

FK

(61a)

C O P Y

B23832.

KEREN KAYEMETH LEISRAEL LTD.
JERUSALEM.

17.6.47.

Translation from the Hebrew Original.

The Director of Land Settlement Department,
Jerusalem.

Sir,

re State Domain in Qaquoun and Qalnsawa.

Following the negotiations which you had with the Ex-Servicemen's Resettlement Dept. of the Jewish Agency, it was agreed between you that Government would lease to the Keren Kayemeth Leisrael Ltd. an area of 294 metric dunums in Qaquoun and 505.459 metric dunums in Qalnsawa for the purpose of the re-settlement of ex-servicemen.

In accordance with that agreement, temporary leases were signed on 20th December, 1946, bearing Nos. GP/5/29(4) and GP/5/18(23) respectively between Government and the Keren Kayemeth Leisrael for the duration of one year, from 1st January, 1947 until 31st December, 1947.

We tried to take over the above mentioned State Domain leased to us with the assistance of the local administration, but in accordance with their request, however, we ceased our activities in that respect because some of the parcels have been trespassed on and are now in possession of Arab encroachers.

In your letter of 11th April, 1947, to the Ex-Servicemen's Resettlement Dept. of the Jewish Agency (No. GP/5/18(23)), you promised that the question of releasing the land was receiving immediate attention; unfortunately, the land has not yet been handed over to us, although over 2 months have elapsed since then. It should be noted that until this land is handed over to us, we cannot draw up any schemes for the re-settlement of the ex-servicemen for whom this land was designated.

We therefore request you to do your utmost to hand over the land leased to us and thus fulfil Government's promise to lease land in general for the settlement of ex-servicemen.

We should be very grateful if you would let us know the earliest date on which we can take over the above mentioned land.

Yours faithfully,

(sgd.) J. Weitz.

BC.

SF/116/47

8th July, 1947.

Director of Land Settlement
and Water Commissioner.

(61)

I am directed to refer to your letter No.GP/5/18(23) of the 23rd June, 1947, on the subject of the lease to the Jewish National Fund of State Domain lands at Qaqun and Qalansawa, Tulkarm Sub-district, and to inform you that the decision of the High Commissioner in Executive Council was correctly set out in my letter of the 30th May.

61a

2. As regards the letter from Mr. Weitz enclosed with your letter of the 23rd June the reply should be that any legal action necessary for the eviction of Arab trespassers should be undertaken by the Keren Kayemeth LeIsrael Ltd.

(Sgd.) J. Fletcher - Cooke

(J. FLETCHER-COOKE)

for CHIEF SECRETARY

GOVERNMENT OF PALESTINE.

CHIEF SECRETARY'S OFFICE
(of Clerk)

69

IN REPLY PLEASE QUOTE

No GP/5/18(23)

CHIEF SECRETARY'S FILE
NO. SF/116/47.

12 JULY 1947

DEPT. OF LAND SETTLEMENT,
JERUSALEM.

P. O. B. 189 - TEL. 4497.

JERUSALEM

10th July, 1947.

Chief Secretary.

67

Reference your SF/116/47 of 8th July, 1947. My recollection of the Executive Council meeting was that whilst His Excellency decided that "nothing should be done" - a decision to which I for one humbly but warmly added my support - it was not decided that the appropriate action in this case was the same as in the Beisan case. In the Beisan case, the K.K.L. are the registered owners and Government was not in the legal position to go to Court. But in the Qagun and Qalansuwa cases, Government is the owner and the K.K.L. is a very temporary lessee. I believe that in this position the K.K.L. would find it difficult in Court, since they were never given possession by the Government. But the chief point is that having given the K.K.L. a lease, and being now unable to give them possession, I feel that for me to reply to the K.K.L. that they must go to Court and turn the trespassers out, would be to display myself in a rather curmudgeonly attitude. However, after discussing the matter again with Messrs. Hogan and Fletcher-Cooke, I have written to Dr. Weitz in the manner shown in the attached copy.

(69a)

Byardine

DIRECTOR OF LAND SETTLEMENT
& WATER COMMISSIONER.

8.4



690

GOVERNMENT OF PALESTINE

IN RE PLEASE QUOTE

NO. GP/5/18(23)

DEPT. OF LAND SETTLEMENT.
AND WATER COMMISSIONER.
JERUSALEM.

P. O. B. 189 — TEL. 4497.

11th July, 1947.

Gentlemen,

I refer to your letter No. B23832 dated 17th June, 1947, and beg to inform you that I referred this question to Government and I have been instructed to reply to you that any legal action necessary for the eviction of trespassers should be taken by the Keren Kayemet Leisrael Ltd.

I am, Gentlemen,
Your obedient servant.

R. F. JARDINE

DIRECTOR OF LAND SETTLEMENT
& WATER COMMISSIONER.

Messrs. The
Keren Kayemet Leisrael Ltd.,
P.O.B. 283,
Jerusalem.

Copy to Chief Secretary.
Ref. his file SF/116/47.

" " District Commissioner,
Samaris District.

RFJ/P

C O P Y

76

THE JEWISH AGENCY FOR PALESTINE.

POLITICAL DEPARTMENT.

OFFICE OF THE EXECUTIVE,
P.O. BOX 92,
JERUSALEM.

Ref.No. POL/33/47.

9th October, 1947.

Sir,

I beg to refer to lease agreements Ref.GP/5/18(23) of January 16th, 1947 and Ref.GP/5/29(4) of 20th December, 1946, between the Government of Palestine and the Keren Kayemeth Le Israel.

1. The first agreement concerns the lease of the latter body of an area of 459 dunums in the village of Qalansuwa, Blocks Number 7878 and 7877 for the agricultural resettlement of Jewish ex-members of H.M. Forces.

Over eight months have passed since the signature of the agreement and it is with regret that I must draw your attention to the fact that few, if any, steps appear to have been taken by Government to carry out its share of the bargain. Not only has the area in question not been handed over to the Keren Kayemeth Le Israel under the terms of the agreement, but Arab trespassers have been permitted to plough the land without any interference from the District authorities in Tulkarm and Nathanya. The latter, in fact, claim that they have acted under orders from Jerusalem in permitting the trespass.

I beg to point out that the Qalansuwa lands form an integral part of the Talmon scheme for ex-soldiers agricultural settlement based on the area leased by Government and an adjoining parcel of Jewish owned land. This scheme was submitted to and approved by Mr. Berncastle, then Acting Director of Land Settlement, before the Government's approval in principle to allocate the land for the resettlement of Jewish ex-servicemen (Acting Director of Land Settlement's letter No.GP/5/18(23) of June 12th, 1946) and was also submitted to and approved by the Town Planning Authorities, Samaria District, according to the map in our possession, in May 1946.

2. The second agreement concerns the lease of an area of approximately 394 dunums of swampy lands leased to the Keren Kayemeth Le Israel for an ex-soldiers settlement to be named Kfar Monash on the understanding that the lessee would drain the swamp and allot 100 dunums after drainage to Arab cultivators in the area. This land is in Qaqun village Block Number 7998, Parcel No.10.

Similarly to the lease above, the District Officers concerned have notified the Keren Kayemeth Le Israel that they are able to do nothing towards handing over the area to the lessee.

The Chief Secretary,
Government of Palestine,
Jerusalem.

Original on 56/138/47.

P.T.O.

3. In view of the fact that the schemes described above have been rendered entirely unworkable by Government's apparent failure to take adequate steps to hand over the lands in question to the lessee, with consequent grave disappointment and financial loss to the ex-soldiers who have waited for a considerable time for the opportunity to benefit from their share of the resettlement programme, I should be most grateful for any information as to when Government proposes to hand over these areas to the Keren Kayemeth Le Israel in order that the establishment of the new settlements may not be further delayed.

I have the honour to be,
Sir,
Your obedient servant,

(Sgd.) Goldie Myerson.

Original 24/10/42

THE JEWISH AGENCY FOR PALESTINE
POLITICAL DEPARTMENT

88

Ref. No. POL/50/47.

OFFICE OF THE EXECUTIVE
P.O.Box 92,
Jerusalem.

Jerusalem, 24th October, 1947.

Sir,

76

I beg to refer to my letter Ref. No. POL/33/47 of 9th October, 1947, concerning the lease of State Domain in Qalansuwa and Qaqun villages to the Keren Kayemeth Le Israel for the agricultural resettlement of former members of H.M. Forces.

2. I have since been informed that Arab trespassers have commenced ploughing part of the land in the Qalansuwa area with the evident intention of sowing crops in the coming season.

3. It would be appreciated if an early decision could be reached in this matter.

I am, Sir,
Your obedient servant,

(Sgd.) Goldie Myerson.

Chief Secretary,
Government of Palestine,
JERUSALEM.

Original on SG/138/47



SF/138/47.

1st November 1947.

Gentlemen,

76

I am directed to refer to your letter POL/33/47 of 9th October, 1947, on the subject of the lease of lands at Qalansura and Qaqun villages, Tulkarm Sub-District.

2. In reply I am to point out that you are in error in saying that Government has failed to carry out its obligations in this matter.

3. Government agreed to make to the Keren Kayemeth Leisrael Ltd. leases of the lands in question, and Government has made the appropriate leases.

4. These leases transferred from Government to the Keren Kayemeth Leisrael Ltd. the right to the immediate possession of the land. If the Keren Kayemeth failed to exercise its right and to protect its possession, that is not Government's fault, and the suggestion now made, that Government has failed to do what it promised to do, cannot be accepted. Government has at no time authorised anybody else to enter on this land, and has fully complied with its undertaking to provide the Keren Kayemeth with a good title to the immediate possession of it. Having acquired title to the land, the Keren Kayemeth is in a position to protect in the Courts its right to possession against any trespasser.

I am, Gentlemen,
Your obedient servant,

(Sgd.) (M.H. DORMAN)

for CHIEF SECRETARY.

Executive of the Jewish Agency,
P.O. BOX 92,
JERUSALEM.

Original on SF/138/47
Copy to SF/116/47

22

Let me know what you think.

22

I am pleased to hear that you are well and hope you are enjoying the trip.

In reply to your letter of the 10th, I am sorry to hear that you are not well.

I am sorry to hear that you are not well and hope you are enjoying the trip.

I am sorry to hear that you are not well and hope you are enjoying the trip.

I am sorry to hear that you are not well and hope you are enjoying the trip.

I am sorry to hear that you are not well and hope you are enjoying the trip.

Original in 24/12/17
Copy in 24/12/17